IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SIXTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

-

WRIT PETITION NO : 7125 of 1996

Between:

Sri V.Gangi Reddy S/o. Basappa
r/o. Mallikethi (V), D.Hirehal (M),
Anantapur Dist.

..... PETITIONER

AND

1 The Dist. Collector
Anantapur Dist.
2 The Revenue Divisional Officer
Dharmavaram Anantapur Dist.
3 The Mandal Revenue Officer
D.Hirehal (M), Anantapur Dist.

.....RESPONDENTS

Counsel for the Petitioner: MR.B.PURSHOTHAM REDDY

Counsel for the Respondents: G.P. FOR REVENUE

The Court made the following :

ORAL ORDER:

The grievance of the petitioner is about the proposal to acquire his land for providing house sites to the weaker sections of the society for a second time. It is his case that Ac.3.25 cents in S.Nos. 412 B-1A, C-1A, EF-1A belonging to him was acquired for providing house sites to the weaker sections of the society earlier, and that respondents are now trying to acquire the remaining Ac. 3-25 cents in S.Nos. 412 B-1B, 412 C-1B, 412 D-1B and 412 EF-1B of Mallikethi village also for the very same purpose.

Though the petition was filed in the year 1996, no counter affidavit is filed on behalf of respondents.

Since a part of the land belonging to the petitioner was already acquired for providing house sites to the weaker sections of the society, acquiring his remaining property for the same purpose again and bringing him down to the status of a landless poor person would be violative of Article 14 of the Constitution of India, as held by a division bench of this Court in *K.Ramulu Vs. State of A.P.*.

Therefore, the writ petition is allowed with costs and the proceedings

to acquire Ac.3-25 cents in 412 B-1B, 412 C-1B, 412 D-1B and 412 EF-1B of Mallikethi village, belonging to the petitioner are quashed.

C.Y.SOMAYAJULU, J.

26-12-2005

Kvsn

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri G.S. Singhvi, the Chief Justice on this Monday, 26th Day of December Two Thousand and Five.

REGISTRAR